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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/840,441	07/30/2001	Tadeusz Z. Wellisz	12,222	4192

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04/30/2004

William W. Haefliger  
Suite 512  
201 So. Lake Ave.  
Pasadena, CA 91101

EXAMINER

ODLAND, KATHRYN P

ART UNIT	PAPER NUMBER
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3743

DATE MAILED: 04/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/840,441

Applicant(s)

WELLISZ, TADEUSZ Z

Examiner

Kathryn Odland

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 30 July 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 July 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 4/24/01.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to because they are unclear and the reference numerals are not clearly displayed. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.
2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: elements 37 and 60. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.
3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description: elements 36, 48, 49, 51a, and 51b. A proposed drawing correction, corrected drawings, or amendment to the specification to add the reference sign(s) in the description, are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.
4. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "53" has been used to designate both terminal and opening. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

***Specification***

5. The disclosure is objected to because of the following informalities: page 12, line 18 of the specification denotes element (53) as openings, while on page 12, line 24 element (53) is denoted terminal. For clarity each reference numeral should only have one label.

Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

7. Claim 30 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

It is unclear as to how phrase "first and second interfitting clip components, the first component having a generally z-shaped configuration, and the second component having a generally z-shaped configuration" corresponds to that shown in the figures. Any art rejection is as best understood.

***Claim Rejections - 35 USC § 102***

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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9. Claims 1-3, 8-11, 21, 23, 25, 27, and 35-37 are rejected under 35 U.S.C. 102(b) as being anticipated by Maruyama et al. in US Patent No. 5,487,741.

Regarding claim 1, Maruyama et al. disclose a clip (22) to interconnect primary and secondary bone zones with edges and surfaces, having a first tab (such as 25) to extend proximate a surface of the secondary bone zone, a second tab (such as 23) associated with the first tab, and located to extend proximate a surface of the primary bone zone, and a second tab having at least one barb (26) oriented to engage the primary bone to resist displacement of the second tab in a longitudinal direction toward the secondary bone zone, as recited in column 5, lines 37-54 and seen in figure 4. **Applicant is reminded that functional language does not hold patentable weight in apparatus claims.** Nonetheless, the device of Maruyama et al. is capable of performing the function as claimed.

Regarding claim 2, Maruyama et al. disclose that as applied to claim 1, as well as, a barb (26) that is located at an edge of the second tab (such as 23), as seen in figure 4.

Regarding claim 3, Maruyama et al. disclose that as applied to claim 2, as well as, a barb (26) that has a tip offset from a plane defined by the second tab (23), as seen in figure 4.

Regarding claim 8, Maruyama et al. disclose that as applied to claim 2, as well as, an anchor element (such as 25a) on the first tab (25) for use in anchoring the first tab to the secondary bone zone.

Regarding claim 9, Maruyama et al. disclose that as applied to claim 8, as well as, an anchor element (such as 25a) that comprises an opening through the first tab, as recited in column 5, lines 38-54 and seen in figure 4.

Regarding claim 10, Maruyama et al. disclose that as applied to claim 1, as well as, a retainer (such as corners of 24) operatively connected with at least one of the tabs and projecting for retention to at least one of the bone zones at a retention level spaced from levels defined by the tabs. Again, applicant is reminded that functional language does not hold patentable weight in apparatus claims. Nonetheless, given a reasonably broad interpretation, the device of Maruyama et al. where the bends occur can be considered retention features.

Regarding claim 11, Maruyama et al. disclose that as applied to claim 10, as well as, a retainer (the corners of 24) that comprise a third tab (24) spaced from the first and second tabs, as recited in column 5, lines 38-54 and seen in figure 4.

Regarding claim 21 and 27, Maruyama et al. disclose that as applied to claims 1 and 11, as well as, a projection (such as 27) associated with at least one of the tabs, and

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configured to engage the secondary bone zone at the edge thereof, and in spaced relation to the tabs, as seen in figure 4.

Regarding claim 23, Maruyama et al. disclose that as applied to claim 21, as well as, a projection that has a sharp terminal capable of penetrating the diploe. Applicant is again reminded that functional language does not hold patentable weight in apparatus claims.

Regarding claim 25, Maruyama et al. disclose that as applied to claim 1, as well as, primary and secondary bone zones that have surfaces proximate that the primary and secondary tabs extend. Applicant is reminded that functional language does not hold patentable weight in apparatus claims.

Regarding claim 35, Maruyama et al. disclose a clip (such 40) to interconnect primary and secondary bone zones having edges and top and bottom surfaces having a first tab (such as 41) to extend proximate a top surface of the secondary bone zone, a second tab (such as 42(a)) associated with the first tab and located to extend proximate a top surface of the primary bone zone, and an L-shaped lower extension (42(b)) of the second tab located to extend proximate the bottom surface of the primary bone zone and also proximate an edge of the primary bone zone that extends between the top and bottom surfaces of the primary bone zone. Applicant is reminded that functional language does not hold patentable weight in an apparatus claim. Nonetheless, that shown by Maruyama et al. is capable of the function.

Regarding claim 36, Maruyama et al. disclose that as applied to claim 35, as well as, first and second tabs that are integral, as seen in figure 7.

Regarding claim 37, Maruyama et al. disclose that as applied to claim 35, as well as, a second tab (such as 43, etc.) that has an upper portion integral with the first tab and a lower portion integral with the L-shaped lower extension, as seen in figure 7.

### ***Claim Rejections - 35 USC § 103***

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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11. Claims 1, 4-7, 11-22, 24, 25, 27, 28, and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maruyama et al. in US Patent No. 5,487,741 in view of Lerch in US Patent No. 5,800,436.

Regarding claim 4, Maruyama et al. disclose that as applied to claim 1. However, Maruyama et al. do not recite a second tab that has a multiplicity of barbs oriented to engage the primary bone zone to resist displacement of the second tab in the direction toward the secondary bone zone. On the other hand, Lerch teaches a multiplicity of barbs (223). Therefore, it would be obvious to one with ordinary skill in the art to modify the invention of Maruyama et al. to include a multiplicity of barbs on the second tab (23) for the purpose of enhancing bone engagement.

Regarding claim 5, Maruyama et al., as modified, disclose that as applied to claim 1. However, Maruyama et al. do not recite a multiplicity of barbs that extend in at least one row, in the direction. However, it would be further obvious to have the barbs extend in at least one row for the purpose of enhanced bone engagement.

Regarding claim 6, Maruyama et al., as modified, disclose that as applied to claim 4. However, Maruyama et al. do not recite a multiplicity of barbs that extend in two parallel generally longitudinal rows. However, given the combination to employ the teachings of Lerch and the straight structure of the tab (23) of Maruyama et al. it would be obvious to further have two generally parallel rows.

Regarding claim 7, Maruyama et al., as modified, disclose that as applied to claim 1. Further, Maruyama et al. disclose a barb that has sharp tips offset from a plane defined by the second tab. Thus, the combination to include multiple barbs would yield multiple barbs with sharp tips offset from a plane defined by the second tab.

Regarding claims 1, 11, and 12, Maruyama et al. disclose a clip (40) to interconnect primary and secondary bone zones with edges and surfaces, having a first tab (such as 41) to extend proximate a surface of the secondary bone zone, a second tab (such as 42/42(b)) associated with the first tab, and located to extend proximate a surface of the primary bone zone, as seen in figure 7. **Applicant is reminded that functional language does not hold patentable weight in apparatus claims.** Nonetheless, the device of Maruyama et al. is capable of performing the function as claimed. Further, Maruyama et al. disclose a retainer (such as portions of 43) operatively connected with at least one of the tabs and projecting for retention to at least one of the bone zones at a retention level spaced from levels defined by the tabs. Again, applicant is reminded that functional language does not hold patentable weight in apparatus claims. Nonetheless, given a reasonably broad interpretation, the device of Maruyama et al. where the bends occur can be considered retention features. Moreover, Maruyama et al. disclose a retainer (portions of 43) that comprises a third tab

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(42 (a)) [since a unitary structure] spaced from the first and second tabs, as seen in figure 7. The third tab (42a) extends generally parallel to the second tab, and is integral with the first tab, as seen in figure 7.

However, Maruyama et al. do not recite a second tab having at least one barb (26) oriented to engage the primary bone to resist displacement of the second tab in a longitudinal direction toward the secondary bone zone. On the other hand, Lerch teach a bone plate with at least one barb (223). Thus it would be obvious to one with ordinary skill in the art to modify the invention of Maruyama et al. to include at least one barb on the second tab (42(b)) for the purpose of proper bone engagement and retention.

Regarding claim 13, Maruyama et al., as modified, discloses that as applied to claim 11, see figure 7. Further, it would be obvious to one with ordinary skill in the art to include a multiplicity of barbs on the third tab oriented to engage the primary bone zone to resist displacement of the third tab in the direction toward the secondary bone zone. Applicant is again reminded that functional language does not hold patentable weight in apparatus claims.

Regarding claim 14, Maruyama et al., as modified, discloses that as applied to claim 13, see figure 7. Further, it would be obvious to one with ordinary skill in the art to include a multiplicity of barbs on the second tab oriented to engage the primary bone zone to resist displacement of the second tab in the direction toward the secondary bone zone. Applicant is again reminded that functional language does not hold patentable weight in apparatus claims.

Regarding claim 15, Maruyama et al., as modified, discloses that as applied to claim 13, see figure 7. Further, it would be obvious to one with ordinary skill in the art to include a multiplicity of barbs that extend in at least one row, in the direction for the purpose of proper bone retention.

Regarding claim 16, Maruyama et al., as modified, discloses that as applied to claim 13, see figure 7. Further, it would be obvious to one with ordinary skill in the art to include a multiplicity of barbs that extend in two parallel generally longitudinal rows, on each of the second and third tabs, given the straight tab structure of Maruyama et al. for the purpose of proper bone engagement and retention.

Regarding claim 17, Maruyama et al., as modified, discloses that as applied to claim 15, see figure 7. Further, the combination would necessarily yield barbs that have sharp tips offset from a plane defined by the third tab.

Regarding claim 18, Maruyama et al., as modified, discloses that as applied to claim 14, see figure 7. Further, the combination would necessarily yield a multiplicity of barbs on both the second and third tabs that have sharp tips offset from planes defined by the respective second and third tabs.



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Regarding claims 19 and 20, Maruyama et al., as modified, discloses that as applied to claims 13 and 14, see figure 7. Further, Maruyama et al. disclose an anchor element (such as 25a) on a first tab (25) for use in anchoring the first tab to the secondary bone zone in another embodiment, as seen in figure 4. It would be within the scope of the invention to include the anchor element on the embodiment shown in figure 7, for the purpose of proper bone engagement and retention.

Regarding claim 21 and 27, Maruyama et al., as modified, disclose that as applied to claims 1 and 11, as well as, the modification would obviously yield a projection associated with at least one of the tabs, and configured to engage the secondary bone zone at the edge thereof, given that shown in figure 7.

Regarding claims 22 and 28, Maruyama et al. disclose that as applied to claims 21 and 27. Further, a projection that is integral with at least one of the tabs would be obvious to one with ordinary skill in the art for it has been held that forming in one piece an article which was formerly been formed in two pieces and put together involves only routine skill in the art. *Howard v. Detroit Stove Works*, 150 U.S. 164 (1983).

Regarding claim 24, Maruyama et al., as modified, disclose that as applied to claim 22. Further, a projection that extends at an acute angle relative to a plane defined by the one tab would also be obvious to one with ordinary skill in the art and the angle can be directed accordingly.

Regarding claim 25, Maruyama et al., as modified, disclose that as applied to claim 1 (for figure 7), as well as, primary and secondary bone zones that have surfaces proximate that the primary and secondary tabs extend. Applicant is reminded that functional language does not hold patentable weight in apparatus claims.

Regarding claim 34, Maruyama et al., as modified, disclose that as applied to claim 14. Further, including intermediate barbs on the second and third tabs is within the scope of the modification and would be obvious to one with ordinary skill in the art.

12. Claims 26 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maruyama et al. in US Patent No. 5,487,741 in view of Halstead in US Patent No. 3,858,370 for claims 26 and 29 and over Maruyama et al. in US Patent No. 5,487,741 in view of Lerch in US Patent No. 5,800,436 and further in view of Halstead in US Patent No. 3,858,370 for claim 29.

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Regarding claim 26, Maruyama et al. disclose that as applied to claim 21. Regarding claim 29, Maruyama et al. as modified by Lerch disclose that as applied to claim 27. Also, disclosed are primary and secondary bone zones that have surfaces proximate, which the primary and secondary tabs extend. However, Maruyama et al. do not recite a spring arm connecting the projection to the at least one tab, the arm extending through a gap formed by the first tab. On the other hand, Halstead teach spring arm structures for a retainer clip. Thus, it would be obvious to one with ordinary skill in the art to modify the invention of Maruyama et al. to include a spring arm connecting the projection to the at least one tab, the arm extending through a gap formed by the first tab, for the purpose of enhanced bone retention.

13. Claims 30 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maruyama et al. in US Patent No. 5,487,741.

Regarding claim 30, Maruyama et al. disclose a clip (such as 40) to interconnect primary and secondary bone zones forming a gap therebetween, the first component (41-42(b)) having a generally z-shaped configuration, and the second component (42(a) – part of 43) having a generally Z-shaped configuration, the components having certain elements (such as portions of the Z-shapes) to engage surfaces defined by the first and second bone zones, and an additional element (such as portions of the sloping part) to engage an edge defined by the second bone zone, as seen in figures 7-8. Applicant is reminded that functional language does not hold patentable weight in apparatus claims. However, Maruyama et al. do not recite first and second clip components that are interfitting. On the other hand, it would be obvious to one with ordinary skill in the art at the time the invention was made to have the components be interfitting, since it has been held that constructing a formerly integral structure in various elements involves only routine skill in the art. *Nerwin V. Erlichman*, 168, USPQ 177, 179.

Regarding claim 31, Maruyama et al., as modified, discloses that as applied to claim 30. Further, interfitting components via a hinge interfit would further be obvious to one with ordinary skill in the art.

14. Claim 32 is rejected under 35 U.S.C. 103(a) as being unpatentable over Maruyama et al in US Patent No. 5,487,741 in view of Lerch in US Patent No. 5,800,436.

Regarding claim 32, Maruyama et al., as modified, discloses that as applied to claim 30, as well as, a tab to engage a surface of the secondary bone zone. However, Maruyama et al. do not recite for figure 7 barbs to engage a surface of the primary bone

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zone. On the other hand, Maruyama et al. demonstrate a barb (such as 26) for other embodiments. Thus, it would be within the scope of the invention to include barbs for the purpose of enhanced retention. Moreover, Lerch teach a plurality of barbs (223). Thus, it would be obvious to one with ordinary skill in the art to modify the invention of Maruyama et al. to include barbs for the purpose of enhanced bone retention.

15. Claim 33 is rejected under 35 U.S.C. 103(a) as being unpatentable over

Maruyama et al in US Patent No. 5,487,741 in view of Lerch in US Patent No.

5,800,436 and further in view of Halstead in US Patent No. 3,858,370.

Regarding claim 33, Maruyama et al., as modified, discloses that as applied to claim 32. However, Maruyama et al. do not recite for figure 7 barbs to engage a surface of the primary bone zone. On the other hand, Maruyama et al. demonstrate a barb (such as 26) for other embodiments. Thus, it would be within the scope of the invention to include barbs for the purpose of enhanced retention. Moreover, Lerch teach a plurality of barbs (223). Thus, it would be obvious to one with ordinary skill in the art to modify the invention of Maruyama et al. to include barbs for the purpose of enhanced bone retention. Further, Maruyama et al. do not recite an additional element that defines a yieldably carried projection to engage the edge. On the other hand, Halstead teach a projection for engagement. Thus, it would be obvious to one with ordinary skill in the art to further modify the invention of Maruyama et al. to include a yieldably carried projection for the purpose of enhanced bone engagement.

### ***Double Patenting***

16. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

17. Claims 1, 23, and 24 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 8 and 9 of U.S. Patent No. 6,582,435 in view of Maruyama et al. in US Patent No. 5,487,741. US Patent No. 6,582,435 claims that with the exception of at least one barb. On the other hand, Maruyama discloses the structure and barb as claimed. Thus, would be an obvious inclusion.

18. Claims 1, 23, and 24 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 10 and 11 of U.S. Patent No. 6,652,531 in view of Maruyama et al. in US Patent No. 5,487,741. US Patent No. 6,652,531 claims that with the exception of at least one barb. On the other hand, Maruyama discloses the structure and barb as claimed. Thus, would be an obvious inclusion.

19. Claims 1, 23, and 24 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 9 and 10 of U.S. Patent No. 6,709,437 in view of Maruyama et al. in US Patent No. 5,487,741. US Patent No. 6,709,437 claims that with the exception of at least one barb. On the other hand, Maruyama discloses the structure and barb as claimed. Thus, would be an obvious inclusion.

20. Claims 1-37 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-20 of U.S. Patent No. 6,679,885 in view of Maruyama et al. in US Patent No. 5,487,741. US Patent No. 6,679,885 claims that with the exception of at least one barb. On the other hand,

Maruyama discloses the structure and barb as claimed. Thus, would be an obvious inclusion.

### ***Conclusion***

21. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure are as follows: US 2002/0156477; US Patent No. 5,941,878; US Patent No. 5,916,217; US Patent No. 5,707,373; US Patent No.4,333,625; and US Patent No. 4,255,910.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kathryn Odland whose telephone number is (703) 306-3454. The examiner can normally be reached on M-F (7:30-5:00) First Friday Off.

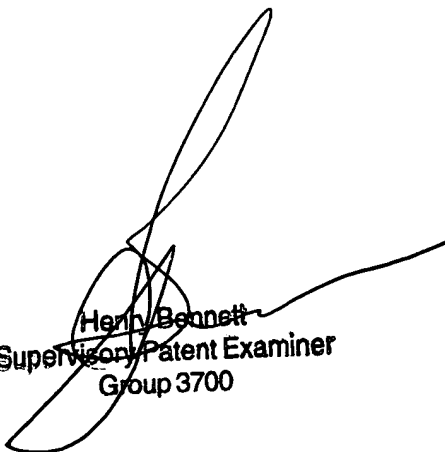
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Henry A Bennett can be reached on (703) 308-0101. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Henry Bennett  
Supervisory Patent Examiner  
Group 3700